

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA

MYEAISHA BURTON, individually and *
as Motion, Next Friend, and Natural *
Guardian of K.B., her minor child and *
KESHAW CAMPBELL, individually, *

Plaintiffs,

* CIVIL ACTION NO. 1:21-CV-17 (LAG)

v. *

UNITED STATES OF AMERICA, *

Defendant, *

**PLAINTIFFS' RESPONSE IN OPPOSITION TO
UNITED STATES MOTION TO JOIN PARTIES**

Plaintiffs file this response in opposition to Defendant United States motion to join party defendants, showing the court it should be denied for the following reasons:

This is going to be a really brief response. Attached is the Georgia Court of Appeals in Deaton Holdings, Inc. v. Reid et al, COA No. A230005 (May 26, 2023) which holds"

1. Joint tortfeasors are not a necessary or indispensable parties in a tort case under Georgia law in a case brought against one of them.
2. In a case filed against a single defendant prior to May 13, 2022, there can be no apportionment, but that does not mean the single defendant has no remedy because the defendant has a right to contribution under OCGA § 51-12-32 if apportionment under OCGA § 51-12-33 does not apply.
3. A plaintiff cannot be forced to sue additional joint tortfeasors beyond those she elected to name in her complaint.

The United States' motion is due to be denied.

This 7th day of June 2023.

Stone Law Group –
Trial Lawyers, LLC

s/William S. Stone

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CERTIFICATE OF SERVICE

I have served this response on all counsel of record VIA the Court's CM/ECF system.

This 7th day of June 2023.

s/William S. Stone

William S. Stone